

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JAMES SHAW,

Plaintiff,

v.

KILOLO KIJAKAZI,  
ACTING COMMISSIONER  
OF SOCIAL SECURITY,

Defendant.

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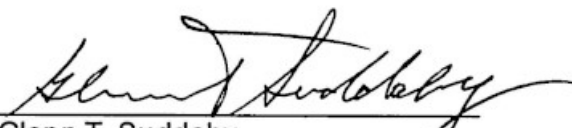
Civil Action No. 5:22-01170

**CONSENT ORDER TO  
REMAND PURSUANT TO  
SENTENCE 4 OF  
42 U.S.C. § 405(g)**

This matter having been opened to the Court by CARLA B. FREEDMAN, United States Attorney for the Northern District of New York, and June Byun, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken, Plaintiff will be offered the opportunity for a new hearing, and a new decision will be issued; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 27th day of April, 2023 ;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for this further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

  
Glenn T. Suddaby  
U.S. District Judge

United States District Court

The undersigned hereby consent to the form and entry of the within order.

CARLA B. FREEDMAN  
United States Attorney

By: /s/ June Byun  
June Byun  
Special Assistant U.S. Attorney

OLINSKY LAW GROUP

By: /s/ Howard Olinsky  
Howard Olinsky  
Attorney for Plaintiff